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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,218	08/20/2001	Jeffrey S. Lille	SJO920000160US1	6404
36491	7590	08/07/2006	EXAMINER	
KUNZLER & ASSOCIATES 8 EAST BROADWAY SUITE 600 SALT LAKE CITY, UT 84111			CHEN, TIANJIE	
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,218

Applicant(s)

LILLE, JEFFREY S.

Examiner

Tianjie Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/27/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 17 and 25-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11, 17 and 25-30 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Ex parte Quayle

1. This application is in condition for allowance except for the following formal matters:

- In claim 11, line 7; --is-- should be inserted before “integrally.”
- In claim 11, line 7; “free-standing” should be changed to--freely stands--.
- In claim 17, line 2; “defining” should be changed to --defines--.
- In claim 25, line 7; --is-- should be inserted before “integrally.”
- In claim 25, line 7; “free-standing” should be changed to--freely stands--.
- In claim 27, line 2; “defining” should be changed to --defines--.
- In claim 29, lines 4 and 5; “, the first lead” should be deleted.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

2. Claims 11, 17, and 25-30 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

- With regard to claim 11, as the closest reference, Ogawa et al (JP 4-221474 A) shows a micromechanical actuator having a movable member; but **fails to show that** the movable member further includes an integral, elongated portion of the slider body defined at the distal end by a leading edge of the slider body, defined at a top end by the top of the slide body, defined at a bottom by a

trench having the shape of a curved plane extending laterally through the slider body and extending from a first side member to a second side, the movable member attached at the proximal end to the slider body.

- With regard to independent claim 25, as the closest reference, Ogawa et al (JP 4-221474 A) shows a micromechanical actuator having a movable member; but **fails to show** that the movable member further includes a tongue-shaped region etched out of a face of a body of the read/write slider.
- With regard to claim 30, as the closest reference, Ogawa et al (JP 4-221474 A) shows a micromechanical actuator having a heater; but **fails to show that** the electro-thermal heater element comprises first and second leads extending in two substantially parallel directions on the movable member, the first lead extending along a first side of the movable member and the second lead extending along a second side of the movable member, the first lead being substantially narrower than the second lead such that passing a current through the electro-thermal heater element distorts the movable member to one side or the other in a selected manner depending upon the amount of current that is passed through the electro-thermal heater element.
- Applicant assumes that this device with these features would be capable of finely positioning slider of hard disk drive such that a read/write transducer can be quickly and accurately positioned over the centerline (Specification, p. 2, lines 17-19).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


TIANJIE CHEN
PRIMARY EXAMINER